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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,788	08/31/2001	Alfonso De Jesus Valdes	10454-022001/P-4190-4	1821

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EXAMINER

SHERR, CRISTINA O

ART UNIT

PAPER NUMBER

3621

DATE MAILED: 04/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/944,788

Applicant(s)

VALDES ET AL.

Examiner

Cristina Owen Sherr

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This communication is in response to applicant's amendment filed January 11, 2006. Claims 1, 3, 5 and 6 have been amended. Claims 1-6 are currently pending in this case.

Response to Arguments

2. Applicant's arguments with respect to the section 101 rejections of claims 1, 2, 3, 5 and 6 in view of the amendments to claims 1, 3, 5 and 6 are persuasive. The section 101 rejections of claims 1, 2, 3, 5 and 6 are, therefore, withdrawn.

3. With respect to the double patenting rejection of claims 1, 2, and 3, these claims rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 7, 8 and 9, respectively of Application No. 09/711,323. Although the conflicting claims are not identical, they are not patentably distinct from each other because it would be obvious to add an updating feature to the claims of application 09/711,323.

4. Applicant's arguments with respect to the section 103 rejections of claims 1-6 have been considered but are moot in view of the new ground(s) of rejection.

Double Patenting

5. Claims 1, 2, and 3 of this application conflict with claims 7, 8 and 9, respectively, of Application No. 09/711,323. 37 CFR 1.78(b) provides that when two or more applications filed by the same applicant contain conflicting claims, elimination of such claims from all but one application may be required in the absence of good and sufficient reason for their retention during pendency in more than one application.

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Applicant is required to either cancel the conflicting claims from all but one application or maintain a clear line of demarcation between the applications. See MPEP § 822.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bristol (US 6,690,274).

9. Regarding claims 1 and 5 –

Bristol discloses a method for organizing alerts into alert classes, both the alerts and alert classes having a plurality of features, each feature having one or more values, the method comprising the steps of:

- (a) receiving a new alert (e.g. col 17 ln 24- col 18 ln 63);
- (b) identifying a set of potentially similar features shared by the new alert and one or more existing 'alert classes; (e.g. col 18 ln 20-50)
- (c) updating a similarity expectation for one or more feature values (e.g. col 18, ln 10-44);
- (d) comparing the new alert with one or more alert classes, as discussed above (e.g. col 17 lb 20-45)

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(e) associating the new alert with the existing alert class that the new alert most closely matches, as discussed above (e.g. col 17 ln 25-60).

10. Although the Bristol does not use the same terminology as the instant application, it would be obvious to adapt the teachings of Bristol in order to obtain greater security and better more organized response to alerts.

11. Regarding claim 2 –

Bristol discloses passing each existing alert class through a transition model to generate a new prior belief state for each alert class (e.g. col 6 ln 10-44).

12. Regarding claims 3 and 6 –

Bristol discloses a method for organizing alerts having a plurality of features, each feature having one or more values, the method comprising the steps of:

(a) generating a group of feature records for a new alert, each feature record includes a list of observed values for its corresponding feature (e.g. col 8, ln1-51);

(b) identifying a set of potentially similar features shared by the new alert and one or more existing alert classes that: are associated with previous alerts, as discussed above;

(c) comparing the new alert to one or more alert classes, as discussed above;

(d) adjusting the comparison by an expectation that certain feature values will or will not match, as discussed above; and

(e) associating the new alert with the existing alert class that the new alert most closely matches, as discussed above.

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13. Although Bristol does not use the same terminology as the instant application, it would be obvious to adapt the teachings of Bristol in order to obtain greater security and better more organized response to alerts.

14. Regarding claim 4 –

Bristol teaches discloses a method for organizing alerts into alert classes, both the alerts and alert classes having a plurality of sensors, each sensor having one or more values, the method comprising the steps of:

- (a) receiving a new alert (e.g. col 8, ln 1-51);
- (b) identifying a set of potentially similar features shared by the new alert and one or more existing 'alert classes; (e.g. col 8 ln 20-50)
- (c) updating a similarity expectation for one or more feature values (e.g. col 6, ln 10-44);
- (d) comparing the new alert with one or more alert classes, as discussed above;
- (e) associating the new alert with the existing alert class that the new alert most closely matches, as discussed above.

15. Although Bristol does not use the same terminology as the instant application, it would be obvious to adapt the teachings of Bristol in order to obtain greater security and better more organized response to alerts.

16. Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may be applied as well. It is respectfully requested from the applicant, in preparing the

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responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Conclusion

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

18. Ziese (US 6,484,315) discloses a method and system for dynamically distributing updates in a network.

19. Timm (US 5,440,498) discloses a method for evaluating the security of protected facilities.

20. Noorhosseinni et al (US 6,707,795) discloses an alarm correlation method and system.

21. Hoseit et al (US 5,475,365) discloses methods and apparatus for intrusion detection having improved immunity to false alarms.

22. Kleinman (US 6,128,640) discloses a method and apparatus for multiple event synchronization.

23. Harrison (US 5,512,429) discloses an intelligent area monitoring system.

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cristina Owen Sherr whose telephone number is 571-272-6711. The examiner can normally be reached on 8:30-5:00 Monday through Friday.

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25. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

26. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

COS
03/25/06

Blanca June S.
PRIMARY EXAMINER